



Michael vanItallie
03/10/2005 11:45 AM

To: modonnell@lumlaw.com
cc: Ildefonso Acosta/R2/USEPA/US@EPA
Subject: Access to 89 Morris Street Property

Dear Mr. O'Donnell,

Would you please let me know whether your client has signed the Consent-to-Access discussed below and when you plan to forward the executed Consent-to-Access to me. If you have any questions about it or any other aspect of EPA's request for access to 89 Morris Street, Morristown, NJ, please call me at the number below.

Thank you for your prompt attention to this request.

Michael J. van Itallie
U.S. Environmental Protection Agency
Region II
290 Broadway
New York, NY 10007-1866
212-637-3151 (voice)
212-637-3096 (facsimile)
vanitallie.michael@epa.gov

----- Forwarded by Michael vanItallie/R2/USEPA/US on 03/10/2005 11:37 AM -----

Michael vanItallie
02/16/2005 03:24 PM

To: modonnell@lumlaw.com
cc: Ildefonso Acosta/R2/USEPA/US@EPA
Subject: Access to 89 Morris Street Property

Mr. O'Donnell:

I refer to our telephone conversation of February 10, 2005. As discussed, the U.S. Environmental Protection Agency is seeking authorization for access to property owned by your client, Austin & Austin, located at 89 Morris Street, Morristown, New Jersey (Property). EPA requires access to the Property to perform a Site Assessment. Accordingly, I attach a Consent-to-Access form for signature by Austin & Austin. Please return the executed form to me at the facsimile number indicated below.

An EPA contractor, Weston Solutions, Inc. will perform the Site Assessment. You requested that Austin & Austin and the tenants of the Property be named as additional insureds on Weston's general liability insurance policy. Please send me the names of the tenants, and Weston Solutions will send you a certificate of insurance naming Austin & Austin and the tenants.

Regarding the tenants, EPA may need to take water or soil samples from any floor drains or other existing openings located inside buildings, which are situated on the Property. Such drains or openings may provide access to water or soil underneath the structures. Accordingly, EPA and Weston need to inspect the buildings to determine if such opening are present and if so, decide whether sampling is necessary. We plan to call the tenants in advance and notify them of the inspection; therefore, please send me their telephone numbers. If sampling proves necessary, EPA will ask them to sign a Consent to Access.

EPA appreciates your cooperation. Please call me if you need any additional information.